

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

BROADBAND iTV, INC.,

Plaintiff,

v.

AMAZON.COM, INC., AMAZON.COM
SERVICES LLC and AMAZON WEB SERVICES,
INC.,

Defendants.

Case No. 6:20-cv-921

Jury Trial Demanded

**ANSWER OF DEFENDANTS AMAZON.COM, INC., AMAZON.COM SERVICES LLC
AND AMAZON WEB SERVICES, INC. TO THE
COMPLAINT OF PLAINTIFF BROADBAND iTV, INC.**

Defendants Amazon.com, Inc., Amazon.com Services LLC, and Amazon Web Services, Inc. (collectively “Amazon”) hereby answer the complaint (“Complaint”) of plaintiff Broadband iTV, Inc. (“BBiTV”), as follows:

NATURE OF THE ACTION

1. Amazon admits that BBiTV purports to attach copies of U.S. Patent Nos. 10,028,026 (the “’026 Patent”), 10,506,269 (the “’269 Patent”), 9,648,388 (the “’388 Patent”), 10,536,750 (the “’750 Patent”), 10,536,751 (the “’751 Patent”), and 9,973,825 (the “’825 Patent”) as Exhibits A to F. Amazon denies the remaining allegations of paragraph 1 of the Complaint.

2. Amazon admits offering for sale and selling Fire devices. Amazon denies the remaining allegations of paragraph 2 of the Complaint.

PARTIES

3. Amazon lacks knowledge or information sufficient to admit or deny the allegations of paragraph 3 of the Complaint and, on that basis, denies them.

4. Amazon lacks knowledge or information sufficient to admit or deny the allegations of paragraph 4 of the Complaint and, on that basis, denies them.

5. Amazon admits that Amazon.com, Inc. is a Delaware corporation with its principal place of business at 410 Terry Avenue North, Seattle, Washington, 98109. Amazon further admits that Amazon.com, Inc. maintains an agent for service of process at Corporation Service Company, d/b/a CSC – Lawyers Incorporating Service Company, located at 211 E. 7th Street, Suite 620, Austin, Texas 78701.

6. Amazon admits that Amazon.com Services LLC is a Delaware limited liability company with its principal place of business at 410 Terry Avenue North, Seattle, Washington, 98109. Amazon further admits that Amazon.com Services LLC maintains an agent for service of process at Corporation Service Company, d/b/a CSC – Lawyers Incorporating Service Company, located at 211 E. 7th Street, Suite 620, Austin, Texas 78701.

7. Amazon admits that Amazon.com Services LLC is a wholly owned subsidiary of Amazon.com, Inc.

8. Amazon admits that Amazon Web Services, Inc. is a Delaware corporation with its principal place of business at 410 Terry Avenue North, Seattle, Washington, 98109. Amazon further admits that Amazon Web Services, Inc. maintains an agent for service of process at Corporation Service Company, d/b/a CSC – Lawyers Incorporating Service Company, located at 211 E. 7th Street, Suite 620, Austin, Texas 78701.

9. Amazon admits that Amazon Webservices, Inc. is an indirect subsidiary of Amazon.com, Inc.

10. Amazon admits that BBiTV purports to refer to Amazon.com, Inc., Amazon.com Services LLC, and Amazon Web Services, Inc. collectively as “Amazon.”

JURISDICTION AND VENUE

11. Amazon denies that it has committed any acts of infringement. Amazon admits that BBiTV purports to allege an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §1 et. seq. Amazon further admits that BBiTV purports to allege that this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338.

12. Amazon admits that, for Amazon.com, Inc venue is proper in the United States District Court for the Western District of Texas for the purposes of this action only. Amazon denies that venue is proper or otherwise convenient in the Waco Division of the Western District of Texas. Amazon admits that it maintains an office at 11501 Alterra Parkway, Austin, TX 78758 and that it maintains fulfillment centers in the Western District of Texas. Amazon admits that it employs more than 5,000 people in Western District of Texas. Amazon further admits that it sells and offers to sell products and services to customers in the Western District of Texas. Amazon denies the remaining allegations of paragraph 12 of the Complaint.

13. Amazon admits that, for Amazon.com Services LLC venue is proper in the United States District Court for the Western District of Texas for the purposes of this action only. Amazon denies that venue is proper or otherwise convenient in the Waco Division of the Western District of Texas. Amazon admits that Amazon.com Services LLC conducts business in the Western District of Texas. Amazon denies the remaining allegations of paragraph 13 of the Complaint.

14. Amazon admits that, for Amazon Web Services, Inc., venue is proper in the United States District Court for the Western District of Texas for the purposes of this action only. Amazon denies that venue is proper or otherwise convenient in the Waco Division of the Western District

of Texas. Amazon admits that Amazon Web Services, Inc. conducts business in the Western District of Texas. Amazon denies the remaining allegations in paragraph 14 of the Complaint.

15. Amazon denies the allegations in paragraph 15 of the Complaint.

16. Amazon admits that BBiTV purports to allege that this Court has specific and general personal jurisdiction over Amazon. Amazon admits that Amazon.com, Inc, Amazon.com Services LLC, and Amazon Web Services, Inc. conducts regular business and offers to sell products or services in the Western District of Texas. Amazon denies the remaining allegations of paragraph 16 of the Complaint.

COUNT I – PURPORTED INFRINGEMENT OF U.S. PATENT NO. 10,028,026¹

17. Amazon incorporates and restates its responses to the allegations set forth in paragraphs 1 through 16 of the Complaint.

18. Amazon admits that the '026 Patent, titled “System for addressing on-demand TV program content on TV services platform of a digital TV services provider” was issued on July 17, 2018. Amazon further admits that BBiTV purports to attach a copy of the '026 patent as Exhibit A to the complaint.

19. Amazon denies that the '026 Patent is valid based on a legal presumption or otherwise.

20. Amazon admits selling products such as the Fire TV stick streaming media player, the Fire TV 4K Stick streaming media player, the Fire TV Cube, the Fire TV Recast, and the Fire TV Blaster. Amazon further admits that it provides Amazon Prime Video app for iOS devices on Apple’s App Store and Android devices on Google Play. Amazon denies the remaining allegations of paragraph 20 of the Complaint.

¹ To the extent that BBiTV intends the headings in its complaint to constitute allegations, Amazon denies them.

21. Amazon admits that BBiTV purports to recite claim 1 of the '026 Patent in paragraph 21 of the Complaint.

22. Amazon admits that BBiTV purports to include a picture of Amazon "Fire" brand of devices and a picture of the video selection interface of Amazon Prime Video in paragraph 22 of the Complaint. Amazon denies the remaining allegations of paragraph 22 of the Complaint.

23. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 23 of the Complaint. Amazon denies the remaining allegations of paragraph 23 of the Complaint.

24. Amazon admits that BBiTV purports to include three pictures of the video selection interface of Amazon Prime Video in paragraph 24 of the Complaint. Amazon denies the remaining allegations of paragraph 24 of the Complaint.

25. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 25 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding boxes to them. Amazon denies the remaining allegations of paragraph 25 of the Complaint.

26. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 26 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding boxes to them. Amazon denies the remaining allegations of paragraph 26 of the Complaint.

27. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 27 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding boxes to them. Amazon denies the remaining allegations of paragraph 27 of the Complaint.

28. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 28 of the Complaint. Amazon denies the remaining allegations of paragraph 28 of the Complaint.

29. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video, a screenshot of the help page of Amazon.com, and four screenshots from The Prime Video Direct Partners Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 29 of the Complaint. Amazon denies the remaining allegations of paragraph 29 of the Complaint.

30. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 30 of the Complaint. Amazon further admits that BBiTV has manipulated the picture by adding a box to it. Amazon denies the remaining allegations of paragraph 30 of the Complaint.

31. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 31 of the Complaint. Amazon denies the remaining allegations of paragraph 31 of the Complaint.

32. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 32 of the Complaint. Amazon denies the remaining allegations of paragraph 32 of the Complaint.

33. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 33 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding boxes and labels to them. Amazon denies the remaining allegations of paragraph 33 of the Complaint.

34. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 34 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding labels to them. Amazon denies the remaining allegations of paragraph 34 of the Complaint.

35. Amazon admits that BBiTV purports to include three screenshots from help pages on Amazon.com, and two screenshots from the Prime Video Direct Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) to present information related to Amazon Prime Video Direct in paragraph 35 of the Complaint. Amazon denies the remaining allegations of paragraph 35 of the Complaint.

36. Amazon admits that BBiTV purports to include six screenshots to present information related to Amazon Prime Video Direct in paragraph 36 of the Complaint. Amazon admits that four of the six screenshots are from the Prime Video Direct Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf). Amazon denies the remaining allegations of paragraph 36 of the Complaint.

37. Amazon admits that BBiTV purports to include four pictures of the video selection interface of Amazon Prime Video in paragraph 37 of the Complaint. Amazon denies the remaining allegations of paragraph 37 of the Complaint.

38. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 38 of the Complaint. Amazon is unable to verify the nature of the other picture included in paragraph 38 because of the low resolution of the picture

and on that basis denies any allegation relating to it. Amazon also denies the remaining allegations of paragraph 38 of the Complaint.

39. Denied.

40. Denied.

41. Amazon admits that it provides mobile apps for use with smartphones, media players/set-top boxes, and tablets. Amazon denies the remaining allegations of paragraph 41 of the Complaint.

42. Amazon admits receiving a letter from BBiTV on October 5, 2020. Amazon denies the remaining allegations of paragraph 42 of the Complaint.

43. Denied.

44. Denied.

COUNT II – PURPORTED INFRINGEMENT OF U.S. PATENT NO. 10,506,269

45. Amazon incorporates and restates its responses to the allegations set forth in paragraphs 1 through 44 of the Complaint.

46. Amazon admits that the '269 Patent, titled “System for addressing on-demand TV program content on TV services platform of a digital TV services provider” was issued on December 10, 2019. Amazon further admits that BBiTV purports to attach a copy of the '269 patent as Exhibit B to the Complaint.

47. Amazon denies that the '296 Patent is valid based on a legal presumption or otherwise.

48. Amazon admits offering for sale and selling products such as the Fire TV stick streaming media player, the Fire TV 4K Stick streaming media player, the Fire TV Cube, the Fire TV Recast, and the Fire TV Blaster. Amazon further admits that it provides Amazon Prime Video

app for iOS devices on Apple's App Store and Android devices on Google Play. Amazon denies the remaining allegations of paragraph 48 of the Complaint.

49. Amazon admits that BBiTV purports to recite claim 1 of the '269 Patent claims in paragraph 49 of the Complaint.

50. Amazon admits that BBiTV purports to include one screenshot of the Amazon Prime Video Android App and one screenshot of the iPhone, iPad App in paragraph 50 of the Complaint. Amazon denies the remaining allegations of paragraph 50 of the Complaint.

51. Amazon admits that BBiTV purports to include a picture of the video selection interface of an Amazon Prime Video Mobile App in paragraph 51 of the Complaint. Amazon is unable to verify the nature of the other picture included in paragraph 51 of the Complaint because of low resolution, and on this basis, denies all allegations relating to it. Amazon denies the remaining allegations of paragraph 51 of the Complaint.

52. Amazon admits that BBiTV purports to include two pictures of the video selection interface of an Amazon Prime Video Mobile App in paragraph 52 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding an arrow between the two pictures. Amazon denies the remaining allegations of paragraph 52 of the Complaint.

53. Amazon admits that BBiTV purports to include two pictures of the video selection interface of an Amazon Prime Video Mobile App in paragraph 53 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding an arrow between the two pictures. Amazon denies the remaining allegations of paragraph 53 of the Complaint.

54. Amazon admits that BBiTV purports to include two pictures of the video selection interface of an Amazon Prime Video Mobile App in paragraph 54 of the Complaint. Amazon

further admits that BBiTV has manipulated the pictures by adding boxes to them. Amazon denies the remaining allegations of paragraph 54 of the Complaint.

55. Amazon admits that BBiTV purports to include three pictures of the video selection interface of an Amazon Prime Video Mobile App in paragraph 55 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding boxes to them. Amazon denies the remaining allegations of paragraph 55 of the Complaint.

56. Amazon admits that BBiTV purports to include three pictures of the video selection interface of an Amazon Prime Video Mobile App in paragraph 56 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding boxes to them. Amazon denies the remaining allegations of paragraph 56 of the Complaint.

57. Amazon admits that BBiTV purports to include two pictures of the video selection interface of an Amazon Prime Video Mobile App in paragraph 57 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding boxes to them. Amazon is unable to verify the screenshot between the two interface pictures due to low resolution, and on this basis, denies all allegations relating to it. Amazon denies the remaining allegations of paragraph 57 of the Complaint.

58. Amazon admits that BBiTV purports to include two pictures of the video selection interface of an Amazon Prime Video Mobile App in paragraph 58 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding labels and drawings to them. Amazon denies the remaining allegations of paragraph 58 of the Complaint.

59. Amazon admits that BBiTV purports to include two pictures of the video selection interface of an Amazon Prime Video Mobile App in paragraph 59 of the Complaint. Amazon

further admits that BBiTV has manipulated the pictures by adding labels and drawings to them. Amazon denies the remaining allegations of paragraph 59 of the Complaint.

60. Amazon admits that BBiTV purports to include three screenshots from the help pages of Amazon.com, and two screenshots from the Prime Video Direct Partners Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 60 of the Complaint. Amazon further admits that Amazon Prime Video Direct allows videos to be uploaded. Amazon denies the remaining allegations of paragraph 60 of the Complaint.

61. Amazon admits that BBiTV purports to include four screenshots from the Prime Video Direct Partners Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) from Amazon Prime Video Direct in paragraph 61 of the Complaint. Amazon is unable to verify the nature of the other two screenshots included in paragraph 61 of the Complaint because of their low resolution, and on this basis, denies all allegations relating to them. Amazon denies the remaining allegations of paragraph 61 of the Complaint.

62. Amazon admits that BBiTV purports to include four pictures of the video selection interface of an Amazon Prime Video Mobile App in paragraph 62 of the claim. Amazon denies the remaining allegations of paragraph 62 of the Complaint.

63. Denied.

64. Amazon admits that BBiTV purports to include the following web addresses in paragraph 64 of the Complaint: <https://videocentral.amazon.com/home/help>; https://m.mediaamazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboard

ding_Guide_1.pdf; <https://www.amazon.com/gp/help/customer/display.html/>;
<https://www.primevideo.com/help>; <https://videodirect.amazon.com/home/landing>. Amazon denies the remaining allegations of paragraph 64 of the Complaint.

65. Amazon admits that it provides mobile device apps for use with smartphones, media players/set-top boxes and tablets. Amazon denies the remaining allegations of paragraph 65 of the Complaint.

66. Amazon admits receiving a letter from BBiTV on October 5, 2020. Amazon denies the remaining allegations of paragraph 66 of the Complaint.

67. Denied.

68. Denied.

COUNT III –PURPORTED INFRINGEMENT OF U.S. PATENT NO. 9,648,388

69. Amazon incorporates and restates its responses to the allegations set forth in paragraphs 1 through 68 of the Complaint.

70. Amazon admits that the '388 Patent, titled “Video-on-demand content delivery system for providing video-on-demand services to TV services subscribers” was issued on May 9, 2017. Amazon further admits that BBiTV purports to attach a copy of the '388 patent as Exhibit C to the complaint.

71. Amazon denies that the '388 Patent is valid based on a legal presumption or otherwise.

72. Amazon admits offering for sale and selling products such as the Fire TV stick streaming media player, the Fire TV 4K Stick streaming media player, the Fire TV Cube, the Fire TV Recast, and the Fire TV Blaster. Amazon further admits that it provides Amazon Prime Video app for iOS devices on Apple’s App Store and Android devices on Google Play. Amazon denies the remaining allegations of paragraph 72 of the Complaint.

73. Denied.

74. Amazon admits that BBiTV purports to recite claim 1 of the '388 Patent in paragraph 74 of the Complaint.

75. Amazon admits that BBiTV purports to use “the Accused '388 Patent Products” to refer to set-top boxes. Amazon further admits that BBiTV purports to include one screenshot of a Fire TV cube and one picture of the video selection interface of Amazon Prime Video in paragraph 75 of the Complaint. Amazon denies the remaining allegations of paragraph 75 of the Complaint.

76. Amazon admits that BBiTV purports to include one picture of the video selection interface of Amazon Prime Video in Paragraph 76 of the Complaint. Amazon further admits that BBiTV purports to include two screenshots from the help pages of Amazon.com, and four screenshots of the Amazon Prime Video Direct Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 76 of the Complaint. Amazon denies the remaining allegations of paragraph 76 of the Complaint.

77. Amazon admits that BBiTV purports to include one screenshot of the job posting of a software engineer position at Amazon Prime Video in paragraph 77 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot by highlighting the last sentence. Amazon denies the remaining allegations of paragraph 77.

78. Amazon admits that BBiTV purports to include three screenshots from the help pages of Amazon.com and two screenshots from the Prime Video Direct Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 78 of the Complaint. Amazon further admits that BBiTV has manipulated one

screenshot by highlighting one sentence. Amazon denies the remaining allegations of paragraph 78 of the Complaint.

79. Amazon admits that BBiTV purports to include four screenshots from the Prime Video Direct Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 79 of the Complaint. Amazon is unable to verify two other screenshots in paragraph 79 of the Complaint due to low resolution, and on this basis, denies all allegations concerning them. Amazon denies the remaining allegations of paragraph 79 of the Complaint.

80. Amazon admits that BBiTV purports to include four pictures of the video selection interface of Amazon Prime Video in paragraph 80 of the Complaint. Amazon denies the remaining allegations of paragraph 80 of the Complaint.

81. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 81 of the Complaint. Amazon denies the remaining allegations of paragraph 81 of the Complaint.

82. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 82 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding boxes to them. Amazon denies the remaining allegations of paragraph 82 of the Complaint.

83. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 83 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding boxes to them. Amazon denies the remaining allegations of paragraph 83 of the Complaint.

84. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 84 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding boxes to them. Amazon denies the remaining allegations of paragraph 84 of the Complaint.

85. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 85 of the Complaint. Amazon is unable to verify a screenshot that BBiTV purports to include in paragraph 85 of the Complaint due to low resolution, and on this basis, denies all allegations concerning it. Amazon denies the remaining allegations of paragraph 85 of the Complaint.

86. Amazon admits that BBiTV purports to include three pictures of the video selection interface of Amazon Prime Video in paragraph 86 of the Complaint. Amazon denies the remaining allegations of paragraph 86 of the Complaint.

87. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video and four screenshots from the Prime Video Direct Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 87 of the Complaint. Amazon denies the remaining allegations of paragraph 87 of the Complaint.

88. Amazon admits that BBiTV purports to include one picture of the Fire TV cube and one picture of the video selection interface of Amazon Prime Video in paragraph 88 of the Complaint. Amazon denies the remaining allegations of paragraph 88 of the Complaint.

89. Amazon admits that BBiTV purports to include one picture of the interface of a video on Amazon Prime Video in paragraph 89 of the Complaint. Amazon denies the remaining allegations of paragraph 89 of the Complaint.

90. Amazon denies the allegations of paragraph 90 of the Complaint.

91. Amazon admits that BBiTV purports to include the following web addresses in paragraph 91 of the Complaint: <https://videocentral.amazon.com/home/help>; https://m.mediaamazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf; <https://www.amazon.com/gp/help/customer/display.html/>; <https://www.primevideo.com/help>; <https://videodirect.amazon.com/home/landing>. Amazon denies the remaining allegations of paragraph 91 of the Complaint.

92. Amazon admits that it provides mobile device apps for installation on smartphones, media players/set-top boxes and tablets. Amazon denies the remaining allegations of paragraph 92 of the Complaint.

93. Amazon admits the receipt of a letter from BBiTV on October 5, 2020. Amazon denies the remaining allegations of paragraph 93 of the Complaint.

94. Denied.

95. Denied.

COUNT IV –PURPORTED INFRINGEMENT OF U.S. PATENT NO. 10,536,750

96. Amazon incorporates and restates its responses to the allegations set forth in paragraphs 1 through 95 of the Complaint.

97. Amazon admits that the '750 Patent, titled “Video-on-demand content delivery system for providing video-on-demand services to TV services subscribers” was issued on January 14, 2020. Amazon further admits that BBiTV purports to attach a copy of the '750 patent as Exhibit D to the complaint.

98. Amazon denies that the '750 Patent is valid based on a legal presumption or otherwise.

99. Amazon admits offering for sale and selling products such as the Fire TV stick streaming media player, the Fire TV 4K Stick streaming media player, the Fire TV Cube, the Fire TV Recast, and the Fire TV Blaster. Amazon further admits that it provides Amazon Prime Video app for iOS devices on Apple's App Store and Android devices on Google Play. Amazon denies the remaining allegations of paragraph 99 of the Complaint.

100. Denied.

101. Amazon admits that BBiTV purports to recite claim 1 of the '750 Patent in paragraph 101 of the Complaint.

102. Amazon admits that BBiTV purports to include a screenshot of Amazon Web Services website in paragraph 102 of the Complaint. Amazon admits that it provides services through Amazon Prime Video and Amazon Web Services. Amazon further admits that BBiTV purports to refer Amazon Fire TV Cube, Apple TV and Roku as examples of set-top boxes. Amazon denies the remaining allegations of paragraph 102 of the Complaint.

103. Amazon admits that BBiTV purports to include two screenshots of the help pages of Amazon.com in paragraph 103 of the Complaint. Amazon denies the remaining allegations of paragraph 103 of the Complaint.

104. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video, a screenshot of the home page of Amazon Prime Video, a screenshot of Amazon Fire TV Cube for sale online, a screenshot of a page showing three Fire TV streaming media players, and a screenshot of the installation page of Prime Video on a device, in paragraph 104 of the Complaint. Amazon lacks knowledge or information sufficient to admit or

deny any allegation concerning the other three pictures in paragraph 104, and on this basis, denies them. Amazon denies the allegations of paragraph 104 of the Complaint.

105. Amazon admits that BBiTV purports to include two screenshots from the Amazon Web Services website in paragraph 105 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots by adding boxes to them. Amazon denies the remaining allegations of paragraph 105 of the Complaint.

106. Amazon admits that BBiTV purports to include three screenshots from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 106 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots by adding boxes and comment boxes to them. Amazon denies the remaining allegations of paragraph 106 of the Complaint.

107. Amazon admits that BBiTV purports to include one screenshot from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 107 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot by adding comment boxes to it. Amazon denies the remaining allegations of paragraph 107 of the Complaint.

108. Amazon admits that BBiTV purports to include one screenshot from the Amazon Web Services Video on Demand on AWS document (<https://s3.amazonaws.com/solutions-reference/video-on-demand-on-aws/latest/video-on-demand-on-aws.pdf>) in paragraph 108 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot by adding comment boxes to it. Amazon denies the remaining allegations of paragraph 108 of the Complaint.

109. Amazon admits that BBiTV purports to include a screenshot from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf), and a picture of the video selection interface of Amazon Prime Video in paragraph 109 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots by adding boxes to them. Amazon denies the remaining allegations of paragraph 109 of the Complaint.

110. Amazon admits that BBiTV purports to include a picture of the video interface of Amazon Prime Video in paragraph 110 of the Complaint. Amazon further admits that BBiTV has manipulated the picture by adding comment boxes to it. Amazon denies the remaining allegations of paragraph 110 of the Complaint.

111. Amazon admits that BBiTV purports to include two screenshots from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 111 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 111 of the complaint.

112. Amazon admits that BBiTV purports to include one screenshot from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) and one screenshot from the online help page of Amazon in paragraph 112 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots by adding boxes to them. Amazon denies the remaining allegations of paragraph 112 in the complaint.

113. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 113 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 113 of the Complaint.

114. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 114 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 114 of the Complaint.

115. Amazon admits that BBiTV purports to include two screenshots from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 115 of the Complaint. Amazon denies the remaining allegations of paragraph 115 of the Complaint.

116. Amazon admits that BBiTV purports to include three screenshots from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf), and one screenshot of the Amazon online help page in paragraph 116 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots by adding boxes to them. Amazon denies the remaining allegations of paragraph 116 of the Complaint.

117. Amazon admits that BBiTV purports to include a screenshot from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 117 of the Complaint. Amazon further admits that BBiTV has manipulated the

screenshot by adding boxes to it. Amazon denies the remaining allegations of paragraph 117 of the Complaint.

118. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 118 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 118 of the Complaint.

119. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 119 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 119 of the Complaint.

120. Amazon admits that BBiTV purports to include four screenshots from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf), and one screenshot of the Amazon online help page in paragraph 120 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 120 of the Complaint.

121. Amazon admits that BBiTV purports to include a screenshot from the Amazon Web Services Video on Demand on AWS document (<https://s3.amazonaws.com/solutions-reference/video-on-demand-on-aws/latest/video-on-demand-on-aws.pdf>) in paragraph 121 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot by adding a comment box to it. Amazon denies the remaining allegations of paragraph 121 of the Complaint.

122. Amazon admits that BBiTV purports to include two screenshots of Amazon Fire TV Cube on Amazon website and a picture on the website www.theverge.com in paragraph 122

of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots and the picture by adding boxes to them. Amazon denies the remaining allegations of paragraph 122 of the Complaint.

123. Amazon admits that BBiTV purports to include four pictures of the video selection interface of Amazon Prime Video in paragraph 123 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding boxes to them. Amazon denies the remaining allegations of paragraph 123 of the Complaint.

124. Amazon admits that BBiTV purports to include a screenshot from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) and one picture of the video selection interface of Amazon Prime Video in paragraph 124 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot and the picture by adding boxes to them. Amazon denies the remaining allegations of paragraph 124 of the Complaint.

125. Amazon admits that BBiTV purports to include a screenshot from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) and one picture of the video selection interface of Amazon Prime Video in paragraph 125 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot and the picture by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 125 of the Complaint.

126. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 126 of the Complaint. Amazon denies the remaining allegations of paragraph 126 of the Complaint.

127. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 127 of the Complaint. Amazon denies the remaining allegations of paragraph 127 of the Complaint.

128. Amazon admits that BBiTV purports to include one screenshot of the Fire TV Cube with Alexa voice remote on Amazon website and one picture of the video selection interface of Amazon Prime Video in paragraph 128 of the Complaint. Amazon denies the remaining allegations of paragraph 128 of the Complaint.

129. Amazon admits that BBiTV purports to include one screenshot in paragraph 129 of the Complaint. Amazon lacks knowledge or information to either deny or admit that this screenshot allegedly captured from a Toshiba Fire TV, and on this basis, denies all allegations concerning it. Amazon denies the remaining allegations of paragraph 129 of the Complaint.

130. Denied.

131. Amazon admits that BBiTV purports to include the following web addresses in paragraph 131 of the Complaint: <https://videocentral.amazon.com/home/help>; https://m.mediaamazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf; <https://www.amazon.com/gp/help/customer/display.html>; <https://www.primevideo.com/help>; <https://videodirect.amazon.com/home/landing>. Amazon denies all remaining allegations of paragraph 131 of the Complaint.

132. Amazon admits that it provides apps for use with media player/set-top boxes. Amazon denies all remaining allegations of paragraph 132 of the Complaint.

133. Amazon admits receiving a letter from BBiTV on October 5, 2020. Amazon denies the remaining allegations of paragraph 133 of the Complaint.

134. Denied.

135. Denied.

COUNT V –PURPORTED INFRINGEMENT OF U.S. PATENT NO. 10,536,751

136. Amazon incorporates and restates its responses to the allegations set forth in paragraphs 1 through 135 of the Complaint.

137. Amazon admits that the '751 Patent, titled “Video-on-demand content delivery system for providing video-on-demand services to TV services subscribers” was issued on January 14, 2020. Amazon further admits that BBiTV purports to attach a copy of the '751 patent as Exhibit E to the complaint.

138. Amazon denies that the '751 Patent is valid based on a legal presumption or otherwise.

139. Amazon admits offering for sale and selling products such as Fire TV stick streaming media player, the Fire TV 4K Stick streaming media player, Fire TV Cube, Fire TV Recast, and the Fire TV Blaster. Amazon further admits that it provides Amazon Prime Video app for iOS devices on Apple’s App Store and Android devices on Google Play. Amazon denies the allegations of paragraph 139 of the Complaint.

140. Denied.

141. Amazon admits that BBiTV purports to recite claim 1 of the '751 Patent claims in paragraph 141 of the Complaint.

142. Amazon admits that BBiTV purports to include a screenshot of an Amazon Prime Video “case study” for Amazon Web Services in paragraph 142 of the Complaint. Amazon further

admits that BBiTV purports to refer to Amazon Fire TV Cube, Apple TV, and Roku as examples of set top boxes. Amazon denies the remaining allegations of paragraph 142 of the complaint.

143. Amazon admits that BBiTV purports to include two screenshots of help pages on Amazon Video Direct website and Amazon videocentral website in paragraph 143 of the Complaint. Amazon denies the remaining allegations of paragraph 143 of the Complaint.

144. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video, a screenshot of the home page of Amazon Prime Video, a screenshot of Amazon Fire TV Cube for sale online, a screenshot of a page showing three Fire TV streaming media players, and a screenshot of the installation page of Prime Video on a device, in paragraph 144 of the Complaint. Amazon lacks knowledge or information sufficient to admit or deny any allegations with respect to the three other pictures reproduced in paragraph 144, and on this basis, denies them. Amazon further admits that BBiTV has manipulated the screenshots and pictures by adding boxes to them. Amazon denies the remaining allegations of paragraph 144 of the Complaint.

145. Amazon admits that BBiTV purports to include two screenshots from Amazon Web Services website in paragraph 145 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots by adding boxes to them. Amazon denies the remaining allegations of paragraph 145 of the Complaint.

146. Amazon admits that BBiTV purports to include three screenshots from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 146 of the Complaint. Amazon further admits that BBiTV has manipulated the

screenshots by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 146 of the Complaint.

147. Amazon admits that BBiTV purports to include one screenshot from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 147 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot by adding comment boxes to it. Amazon denies the remaining allegations of paragraph 147.

148. Amazon admits that BBiTV purports to include one screenshot from the Amazon Web Services Video on Demand on AWS document (<https://s3.amazonaws.com/solutions-reference/video-on-demand-on-aws/latest/video-on-demand-on-aws.pdf>) in paragraph 148 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot by adding comment boxes to it. Amazon further denies the remaining allegations of paragraph 148 of the Complaint.

149. Amazon admits that BBiTV purports to include a screenshot from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf), and a picture of the video selection interface of the Amazon Prime Video in paragraph 149 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot and the picture. Amazon denies the remaining allegations of paragraph 149 of the Complaint.

150. Amazon admits that BBiTV purports to include a picture of the video interface of Amazon Prime Video in paragraph 150 of the Complaint. Amazon further admits that BBiTV has

manipulated the picture by adding comment boxes to it. Amazon denies the remaining allegations of the paragraph 150 of the Complaint.

151. Amazon admits that BBiTV purports to include two screenshots from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 151 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 151 in the complaint.

152. Amazon admits that BBiTV purports to include one screenshot from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) and one screenshot from the online help page of Amazon.com in paragraph 152 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots by adding boxes to them. Amazon denies the remaining allegations of paragraph 152 in the complaint.

153. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 153 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 153 in the complaint.

154. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 154 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 154 of the Complaint.

155. Amazon admits that BBiTV purports to include two pictures from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 155 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 155 of the Complaint.

156. Amazon admits that BBiTV purports to include two screenshots from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf), and one screenshot of the Amazon online help page in paragraph 156 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots by adding boxes to them. Amazon denies the remaining allegations of paragraph 156 of the Complaint.

157. Amazon admits that BBiTV purports to include a screenshot from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 157 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot by adding boxes to it. Amazon denies the remaining allegations of paragraph 157 of the Complaint.

158. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 158 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 158 in the complaint.

159. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 159 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 159 of the Complaint.

160. Amazon admits that BBiTV purports to include a screenshot from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 160 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot by adding boxes to it. Amazon denies the remaining allegations of paragraph 160 of the Complaint.

161. Amazon admits that BBiTV purports to include four screenshots from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) in paragraph 161 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 161 of the Complaint.

162. Amazon admits that BBiTV purports to include one screenshot from the Amazon Web Services Video on Demand on AWS document (<https://s3.amazonaws.com/solutions-reference/video-on-demand-on-aws/latest/video-on-demand-on-aws.pdf>) in paragraph 162 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot by adding comment boxes to it. Amazon denies the remaining allegations of paragraph 162 of the Complaint.

163. Amazon admits that BBiTV purports to include two screenshots of Amazon Fire TV Cube on Amazon website and a picture on the website www.theverge.com in paragraph 163

of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots and the picture by adding boxes to them. Amazon denies the remaining allegations of paragraph 163 of the Complaint.

164. Amazon admits that BBiTV purports to include four pictures of the video selection interface of Amazon Prime Video in paragraph 164 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures by adding boxes to them. Amazon denies the remaining allegations of paragraph 164 of the Complaint.

165. Amazon admits that BBiTV purports to include a screenshot from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) and one picture of the video selection interface of Amazon Prime Video in paragraph 165 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot by adding boxes to them. Amazon denies the remaining allegations of paragraph 165 of the Complaint.

166. Amazon admits that BBiTV purports to include a screenshot from the Amazon Prime Video Partner Onboarding Guide (https://m.media-amazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf) and one picture of the video selection interface of Amazon Prime Video in paragraph 166 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot and the picture by adding comment boxes to them. Amazon denies the remaining allegations of paragraph 166 of the Complaint.

167. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 167 of the Complaint. Amazon denies the remaining allegations of paragraph 167 of the Complaint.

168. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 168 of the Complaint. Amazon denies the remaining allegations of paragraph 168 of the Complaint.

169. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video and a screenshot of a Wikipedia page in paragraph 169 of the Complaint. Amazon admits that “Billions” is a show available on Prime Video. Amazon denies the remaining allegations of paragraph 169 of the Complaint.

170. Amazon admits that BBiTV purports to include one screenshot of the Fire TV Cube with Alexa voice remote on Amazon website and one picture of the video selection interface of Amazon Prime Video in paragraph 170 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshot by adding a box to it. Amazon denies the remaining allegations of paragraph 170 of the Complaint.

171. Amazon admits that BBiTV purports to include one screenshot in paragraph 171 of the Complaint. Amazon lacks knowledge or information to either deny or admit allegations concerning the screenshot allegedly captured from a Toshiba Fire TV, and on this basis, denies them. Amazon denies the remaining allegations of paragraph 171 of the Complaint.

172. Denied.

173. Amazon admits that BBiTV purports to include the following web addresses in paragraph 173 of the Complaint: <https://videocentral.amazon.com/home/help>; https://m.mediaamazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf; <https://www.amazon.com/gp/help/customer/display.html>; <https://www.primevideo.com/help>; <https://videodirect.amazon.com/home/landing>. Amazon denies the remaining allegations of paragraph 173 of the Complaint.

174. Amazon admits that it provides apps for use on media player/set-top boxes. Amazon denies all remaining allegations of paragraph 174 of the Complaint.

175. Amazon admits receiving a letter from BBiTV on October 5, 2020. Amazon denies the remaining allegations of paragraph 175 of the Complaint.

176. Denied.

177. Denied.

COUNT VI –PURPORTED INFRINGEMENT OF U.S. PATENT NO. 9,973,825

178. Amazon incorporates and restates its responses to the allegations set forth in paragraphs 1 through 177 of the Complaint.

179. Amazon admits that the '825 Patent, titled “Dynamic Adjustment of Electronic Program Guide Displays Based on Viewer Preference for Minimizing Navigation in VOD Program Selection” was issued on May 15, 2018. Amazon further admits that BBiTV purports to attach a copy of the '825 patent as Exhibit F to the complaint.

180. Amazon denies that the '825 Patent is valid based on a legal presumption or otherwise.

181. Amazon admits selling products such as Fire TV stick streaming media player, the Fire TV 4K Stick streaming media player, Fire TV Cube, Fire TV Recast, and the Fire TV Blaster. Amazon further admits that it provides Amazon Prime Video app for iOS devices on Apple's App Store and Android devices on Google Play. Amazon denies the remaining allegations of paragraph 81 of the Complaint.

182. Denied.

183. Amazon admits that BBiTV purports to recite claim 1 of the '825 Patent claims in paragraph 183 of the Complaint.

184. Amazon admits that BBiTV purports to include one picture that contains the button that leads to Amazon Prime Video, a picture of the video selection interface of Amazon Prime Videos, and two screenshots from the Amazon Prime Video website help pages in paragraph 184 of the Complaint. Amazon further admits that BBiTV has manipulated the pictures and screenshots by adding boxes to them. Amazon denies the remaining allegations of paragraph 184 of the Complaint.

185. Amazon admits that BBiTV purports to include one screenshot of Fire TV Stick 4K for sale online, A screenshot showing Amazon fire HD8, a screenshot of Fire TV Cube for sale online, and a screenshot of Fire TV Cube with Alexa Remote, a screenshot of an All-new Echo Show 10 for sale online, and a screenshot of amazon Smart 4K UHD for sale online in the paragraph of 185 of the Complaint. Amazon further admits that BBiTV has manipulated the screenshots by adding boxes to them. Amazon denies the remaining allegations of paragraph 185 of the Complaint.

186. Amazon admits that BBiTV purports to include a screenshot of a software engineer job posting at Amazon in paragraph 186 of the Complaint. Amazon denies the remaining allegations of paragraph 186 of the Complaint.

187. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 187 of the Complaint. Amazon further admits that BBiTV has manipulated the picture by adding a box to it. Amazon denies the remaining allegations of paragraph 187 of the Complaint.

188. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 188 of the Complaint. Amazon further admits that

BBiTV has manipulated the picture by adding a box to it. Amazon denies the remaining allegations of paragraph 188 of the Complaint.

189. Amazon admits that BBiTV purports to include a screenshot of the help page on Amazon Prime Video website in paragraph 189 of the Complaint. Amazon denies the remaining allegations of paragraph 189 of the Complaint.

190. Amazon admits that BBiTV purports to include a screenshot of quotations from the solutions page of Amazon Web Services in paragraph 190 of the Complaint. Amazon denies the remaining allegations of paragraph 190 of the Complaint.

191. Amazon admits that BBiTV purports to include a screenshot from the solutions page of Amazon Web Services in the paragraph 191 of the Complaint. Amazon admits that Amazon DynamoDB database is a service that can be used as part of Amazon Web Services. Amazon denies the remaining allegations of paragraph 191 of the complaint.

192. Amazon admits that BBiTV purports to include two screenshots from Video on Demand on AWS, AWS Implementation Guide in the paragraph 192 of the Complaint. Amazon admits that both DynamoDB and Amazon S3 are solutions offered by Amazon Web Services. Amazon denies the remaining allegations of paragraph 192 of the Complaint.

193. Amazon admits that BBiTV purports to include a screenshot of an Amazon job posting in paragraph 193 of the Complaint that contains the descriptions BBiTV reports. Amazon denies the remaining allegations of paragraph 193 of the Complaint.

194. Amazon admits that BBiTV purports to include a screenshot of an Amazon.com help page in paragraph 194 of the Complaint. Amazon denies the remaining allegations of paragraph 194 of the Complaint.

195. Amazon admits that BBiTV purports to include a screenshot of an Amazon.com help page in paragraph 195 of the Complaint. Amazon denies the remaining allegations of paragraph 195 of the Complaint.

196. Amazon admits that BBiTV purports to include a picture of the interface of the Amazon Prime Video in paragraph 196 of the Complaint. Amazon denies the remaining allegations of paragraph 196 of the Complaint.

197. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 197 of the Complaint. Amazon further admits that BBiTV has manipulated the picture by adding a box to it. Amazon denies the remaining allegations of paragraph 197 of the Complaint.

198. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 198 of the Complaint. Amazon further admits that BBiTV has manipulated the picture by adding a box to it. Amazon denies the remaining allegations of paragraph 198 of the Complaint.

199. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 199 of the Complaint. Amazon further admits that BBiTV has manipulated the picture by adding a box to it. Amazon denies the remaining allegations of paragraph 199 of the complaint.

200. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 200 of the Complaint. Amazon lacks knowledge regarding the purported “Tracy D” profile sufficient to allow it to admit or deny the remaining allegations of paragraph 200 of the Complaint, and therefore Amazon denies them.

201. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 201 of the Complaint. Amazon lacks knowledge regarding the purported “Tracy” profile sufficient to allow it to admit or deny the remaining allegations of paragraph 201 of the Complaint, and therefore Amazon denies them.

202. Amazon admits that BBiTV purports to include a screenshot of an Amazon.com help page in paragraph 202 of the Complaint. Amazon denies the remaining allegations of paragraph 202 of the Complaint.

203. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 203 of the Complaint. Amazon further admits that BBiTV has manipulated the picture by adding a box to it. Amazon denies the remaining allegations of paragraph 203 of the Complaint.

204. Amazon admits that BBiTV purports to include a table in paragraph 204 of the Complaint. Amazon lacks knowledge or information sufficient to admit or deny allegations concerning the table reflecting the purported “Tracy” and “Ryan” profiles, and on that basis, denies them. Amazon denies the remaining allegations of paragraph 204 of the Complaint.

205. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 205 of the Complaint. Amazon further admits that BBiTV has manipulated the picture by adding a box to it. Amazon denies the remaining allegations of paragraph 205 of the Complaint.

206. Amazon admits that BBiTV purports to include two pictures of the video selection interface of Amazon Prime Video in paragraph 205 of the Complaint. Amazon lacks knowledge or information sufficient to admit or deny allegations regarding the interface purportedly viewed by “Tracy,” and on this basis denies them. Amazon further admits that BBiTV has manipulated

the pictures by adding boxes to them. Amazon denies the remaining allegations of paragraph 206 of the Complaint.

207. Amazon admits that BBiTV purports to include a picture of the interface of the Amazon Prime Video in paragraph 207 of the Complaint. Amazon denies the remaining allegations of paragraph 207 of the Complaint.

208. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 208 of the Complaint. Amazon lacks knowledge or information sufficient to admit or deny allegations regarding the interface purportedly viewed by “Ryan,” and on this basis denies them. Amazon denies the remaining allegations of paragraph 208 of the Complaint.

209. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 209 of the Complaint. Amazon lacks knowledge or information sufficient to admit or deny allegations regarding the interface purportedly viewed by “Ryan,” and on this basis denies them. Amazon denies the remaining allegations of paragraph 209 of the Complaint.

210. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 210 of the Complaint. Amazon denies the remaining allegations of paragraph 210 of the Complaint.

211. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 211 of the Complaint. Amazon denies the remaining allegations of paragraph 211 of the Complaint.

212. Amazon admits that BBiTV purports to include a picture of the video selection interface of Amazon Prime Video in paragraph 212 of the Complaint. Amazon denies that the TV

needs to be turned off or restart after watching a movie. Amazon denies the remaining allegations of paragraph 212 of the Complaint.

213. Denied.

214. Amazon admits that BBiTV purports to include the following web addresses in paragraph 214 of the Complaint: <https://videocentral.amazon.com/home/help>; https://m.mediaamazon.com/images/G/01/CooperWebsite/dvp/downloads/PVD_Partner_Onboarding_Guide_1.pdf; <https://www.amazon.com/gp/help/customer/display.html>; <https://www.primevideo.com/help>; <https://videodirect.amazon.com/home/landing>. Amazon denies the remaining allegations of paragraph 214 of the Complaint.

215. Amazon admits that it provides apps for use with media player/set-top boxes. Amazon denies all remaining allegations of paragraph 215 of the Complaint.

216. Amazon admits receiving a letter from BBiTV on October 5, 2020. Amazon denies the remaining allegations of paragraph 216 of the Complaint.

217. Denied.

218. Denied.

BBITV'S PRAYER FOR RELIEF

Amazon denies that BBiTV is entitled to any of the relief requested in the complaint or any relief whatsoever. Amazon denies all allegations in the complaint that have not been specifically admitted in paragraphs 1-218 above.

BBITV'S DEMAND FOR JURY TRIAL

BBiTV's demand for jury trial does not require a response.

AFFIRMATIVE DEFENSES

Amazon asserts the following affirmative defenses to the complaint. In doing so, Amazon does not assume any burden of proof on any issue that is BBiTV's burden as a matter of law.

Amazon also reserves the right to amend or supplement these defenses as additional facts become known.

FIRST DEFENSE: FAILURE TO STATE A CLAIM

The complaint fails to allege facts sufficient to state a cause of action upon which relief may be granted.

SECOND DEFENSE: NON-INFRINGEMENT ('026 PATENT)

Amazon has not infringed, and currently does not infringe, any valid claim of the '026 Patent and is not liable for any infringement.

THIRD DEFENSE: INVALIDITY ('026 PATENT)

The asserted claims of the '026 Patent are each invalid for failure to comply with one or more of the conditions and requirements of the patent laws, including, but not limited to 35 U.S.C. §§ 101, 102, 103, and/or 112.

FOURTH DEFENSE: NON-INFRINGEMENT ('269 PATENT)

Amazon has not infringed, and currently does not infringe, any valid claim of the '269 Patent and is not liable for any infringement.

FIFTH DEFENSE: INVALIDITY ('269 PATENT)

The asserted claims of the '269 Patent are each invalid for failure to comply with one or more of the conditions and requirements of the patent laws, including, but not limited to 35 U.S.C. §§ 101, 102, 103, and/or 112.

SIXTH DEFENSE: NON-INFRINGEMENT ('388 PATENT)

Amazon has not infringed, and currently does not infringe, any valid claim of the '388 Patent and is not liable for any infringement.

SEVENTH DEFENSE: INVALIDITY ('388 PATENT)

The asserted claims of the '388 Patent are each invalid for failure to comply with one or more of the conditions and requirements of the patent laws, including, but not limited to 35 U.S.C. §§ 101, 102, 103, and/or 112.

EIGHTH DEFENSE: NON-INFRINGEMENT ('750 PATENT)

Amazon has not infringed, and currently does not infringe, any valid claim of the '750 Patent and is not liable for any infringement.

NINTH DEFENSE: INVALIDITY ('750 PATENT)

The asserted claims of the '750 Patent are each invalid for failure to comply with one or more of the conditions and requirements of the patent laws, including, but not limited to 35 U.S.C. §§ 101, 102, 103, and/or 112.

TENTH DEFENSE: NON-INFRINGEMENT ('751 PATENT)

Amazon has not infringed, and currently does not infringe, any valid claim of the '751 Patent and is not liable for any infringement.

ELEVENTH DEFENSE: INVALIDITY ('751 PATENT)

The asserted claims of the '751 Patent are each invalid for failure to comply with one or more of the conditions and requirements of the patent laws, including, but not limited to 35 U.S.C. §§ 101, 102, 103, and/or 112.

TWELFTH DEFENSE: NON-INFRINGEMENT ('825 PATENT)

Amazon has not infringed, and currently does not infringe, any valid claim of the '825 patent and is not liable for any infringement.

THIRTEENTH DEFENSE: INVALIDITY ('825 PATENT)

The asserted claims of the '825 Patent are each invalid for failure to comply with one or more of the conditions and requirements of the patent laws, including, but not limited to 35 U.S.C. §§ 101, 102, 103, and/or 112.

FOURTEENTH DEFENSE: GOOD FAITH

Amazon has engaged in all relevant activities in good faith, thereby precluding BBiTV, even if it prevails, from recovering its reasonable attorneys' fees or costs under 35 U.S.C. § 285.

FIFTEENTH DEFENSE: ESTOPPEL

The relief sought by BBiTV is barred, in whole or in part, under the doctrine of prosecution history estoppel due to amendments and/or statements made during prosecution of the patents-in-suit.

SIXTEENTH DEFENSE: DEDICATION TO THE PUBLIC

The relief sought by BBiTV is barred, in whole or in part, because BBiTV dedicated to the public all methods, systems, and products disclosed in the patents-in-suit but not literally claimed therein.

SEVENTEENTH DEFENSE: UNAVAILABILITY OF INJUNCTIVE RELIEF

BBiTV is not entitled to injunctive relief, as a matter of law, and cannot satisfy the requirements applicable to its request for injunctive relief in any form.

EIGHTEENTH DEFENSE: LIMITATION ON DAMAGES AND COSTS

BBiTV's claim for damages is barred, in whole or in part, by 35 U.S.C. §§ 286 or 287. To the extent any claim of the patents-in-suit is invalid, BBiTV is barred from recovering costs by 35 U.S.C. § 288.

RESERVATION OF ADDITIONAL DEFENSES

Amazon reserves the right to assert additional defenses in the event that discovery or other

analysis indicates that additional defenses are appropriate.

PRAYER FOR RELIEF

WHEREFORE, Amazon prays for judgement as follows:

- a. A judgment in favor of Amazon denying BBiTV all relief requested in its complaint and dismissing its complaint with prejudice;
- b. A judgment against BBiTV finding that Amazon has not and does not infringe and is not liable for any infringement of any valid and enforceable claim of the '026 patent;
- c. A judgment against BBiTV finding that Amazon has not and does not infringe and is not liable for any infringement of any valid and enforceable claim of the '269 patent;
- d. A judgment against BBiTV finding that Amazon has not and does not infringe and is not liable for any infringement of any valid and enforceable claim of the '388 patent;
- e. A judgment against BBiTV finding that Amazon has not and does not infringe and is not liable for any infringement of any valid and enforceable claim of the '750 patent;
- f. A judgment against BBiTV finding that Amazon has not and does not infringe and is not liable for any infringement of any valid and enforceable claim of the '751 patent;
- g. A judgment against BBiTV finding that Amazon has not and does not infringe and is not liable for any infringement of any valid and enforceable claim of the '825 patent;
- h. A judgment that the patents-in-suit are unenforceable for inequitable conduct;
- i. A judgment that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding Amazon its reasonable attorneys' fees;
- j. For an award of costs to Amazon; and
- k. Such other relief as the Court shall deem just and proper.

DEMAND FOR JURY TRIAL

Amazon hereby requests a trial by jury on all issues so triable including specifically on BBiTV's claims and Amazon's defenses thereto.

Dated: December 11, 2020

FENWICK & WEST LLP

By: /s/ J. David Hadden
J. David Hadden

J. David Hadden (admitted W.D. Texas)
Email: dhadden@fenwick.com
Saina S. Shamilov (admitted W.D. Texas)
Email: sshamilov@fenwick.com
Ravi R. Ranganath (admitted W.D. Texas)
Email: rranganath@fenwick.com
FENWICK & WEST LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Telephone: 650.988.8500
Facsimile: 650.938.5200

Todd Gregorian (*pro hac vice* pending)
Email: tgregorian@fenwick.com
555 California Street, 12th Floor
San Francisco, CA 94104
Telephone: 415.875.2300
Facsimile: 415.281.1350

Howard Lithaw Lim (*pro hac vice* pending)
TX Bar No. 24092701
Email: hlim@fenwick.com
1191 Second Ave., 10th Floor
Seattle, WA 98101
Telephone: 206.389.4510
Facsimile: 206.389.4511

*Counsel for AMAZON.COM, INC., AMAZON.COM
SERVICES LLC and AMAZON WEB SERVICES,
INC.*

CERTIFICATE OF SERVICE

The foregoing document was filed under the Court's CM/ECF system, automatically effecting service on counsel of record for all other parties who have appeared in this action on the date of such service.

/s/ J. David Hadden
J. David Hadden